



ARIZONA STATE SENATE
Fifty-Fifth Legislature, First Regular Session

AMENDED
FACT SHEET FOR S.B. 1293

refrigerated product display; retailers

Purpose

Allows a wholesaler of spirituous liquor to sell a refrigerated cooler that meets certain criteria to a liquor retailer.

Background

The Department of Liquor Licenses and Control issues liquor licenses to regulate the production, distribution and sale of liquor. Statute outlines unlawful acts by a liquor producer or wholesaler relating to commercial coercion or bribery of a retailer, including: 1) requiring or inducing a retailer to purchase liquor exclusively, in whole or in part, from the producer or wholesaler; 2) acquiring an interest in property owned or used by a retailer's business or in a license with respect to the retailer premises; 3) paying or crediting a retailer for advertising, display or distribution service, except in conjunction with seasonal sporting events as allowed by rule; and 4) furnishing, giving, renting, lending or selling a retailer equipment, fixtures, signs, supplies, money, services or other things of value, except as prescribed by rule with regard for established trade customs and the purpose of commercial coercion or bribery ([A.R.S. § 4-243](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Allows a liquor wholesaler to sell to a retailer a refrigerated cooler that:
 - a) serves as a temperature-controlled product display for liquor;
 - b) has a value of less than \$300; and
 - c) bears advertising of a spirituous liquor product that is conspicuous, substantial and permanently inscribed or securely affixed.
2. Excludes, from the prohibition on a liquor producer or wholesaler furnishing, giving, renting, lending or selling to a retailer, a wholesaler selling a qualifying refrigerated cooler to a retailer.
3. Prohibits a wholesaler from maintaining, repairing or providing installation services requiring construction or electrical work for a qualifying refrigerated cooler.
4. Makes technical changes.
5. Becomes effective on the general effective date.

Amendments Adopted by Committee of the Whole

1. Removes the authorization for a liquor producer to loan or sell a refrigerated cooler to a retailer.
2. Narrows the authorization for a liquor wholesaler to provide a refrigerated cooler to a retailer to the sale, rather than the loan or sale, of a qualifying refrigerated cooler.
3. Prohibits a wholesaler from maintaining, repairing or providing installation services requiring construction or electrical work for a qualifying refrigerated cooler.

Senate Action

COM 2/3/21 DP 5-4-0

Prepared by Senate Research

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